

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

GIUSEPPE BETTIOL, derivatively on behalf
of ENERGY TRANSFER LP,

Plaintiff,

v.

LE GP LLC, KELCY L. WARREN,
THOMAS E. LONG, JOHN W.
MCREYNOLDS, MARSHALL S.
MCCREA, III, MATTHEW S. RAMSEY,
STEVEN R. ANDERSON, RICHARD D.
BRANNON, RAY C. DAVIS, MICHAEL K.
GRIMM, K. RICK TURNER, RAY W.
WASHBURNE, AND WILLIAM P.
WILLIAMS,

Defendants.

Civil Action No. 3:19-cv-02890-X

**STIPULATION [AND PROPOSED
ORDER]**

STIPULATION [AND PROPOSED ORDER]

WHEREAS, on December 7, 2019, Plaintiff Giuseppe Bettiol (“Bettiol”), derivatively and on behalf of Energy Transfer LP (“Energy Transfer” or the “Company”) filed a Verified Unitholder Derivative Complaint (the “Complaint”) against Defendants Kelcy L. Warren, Thomas E. Long, John W. McReynolds, Marshall S. McCrea, III, Matthew S. Ramsey, Steven R. Anderson, Richard D. Brannon, Ray C. Davis, Michael K. Grimm, K. Rick Turner, Ray W. Washburne, and William P. Williams (collectively, the “Individual Defendants”) and Defendant LE GP, LLC (“LE GP” or the “General Partner,” and together with the Individual Defendants, the “Defendants”) (the “Action”);

WHEREAS, on December 20, 2019, the Parties filed a joint stipulation and proposed order requesting the Court to issue an order incorporating stipulations agreed to between the parties;

WHEREAS, on January 8, 2020, the Court entered an order adopting those stipulations;

WHEREAS, on January 10, 2020, a class action complaint was filed in *Allegheny County Employees' Retirement System v. Energy Transfer LP, et al.* Case No. 2:20-cv-00200-GAM (E.D. Penn.) (the “Class Action”), alleging claims under Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 with a similar factual basis to those asserted in the Action;

WHEREAS, pursuant to the PSLRA, the Court overseeing the Class Action must appoint as Lead Plaintiff the person or group of persons who are members of the alleged class that the Court determines to be “most capable of adequately representing the interests of class members,” 15 U.S.C. § 78u- 4(a)(3)(B)(i)-(ii);

WHEREAS, once the Lead Plaintiff and Lead Counsel are appointed in the Class Action, an operative complaint will be identified, or an amended or consolidated complaint will be filed, which will become the operative complaint (“Operative Complaint”); and

WHEREAS, the Parties in the Action have conferred and agree that in the interests of judicial economy, conservation of time and resources, and orderly management of this action, all deadlines in this case should be stayed pending the filing or designation of an Operative Complaint in the Class Action;

IT IS HEREBY STIPULATED AND AGREED by the Parties and their undersigned counsel as follows:

1. Within 45 days of the filing or designation of an Operative Complaint in the Class Action, Bettoli shall file an amended Complaint in this Action or a stipulation indicating that he does not intend to file such an amended Complaint.

2. All pre-trial deadlines that may apply in the Action (including any obligation of Defendants to respond to the Complaint) shall be stayed until Bettoli files an amended Complaint in this Action or a stipulation indicating that he does not intend to file such an amended Complaint.
3. Within 45 days of Bettoli's filing of an amended Complaint in this Action or a stipulation indicating that he does not intend to file such an amended Complaint, Defendants shall answer, move to dismiss, or otherwise respond to the then-operative Complaint in this Action.
4. In the event Defendants move to dismiss, Bettoli shall file his opposition(s) no later than 45 days after the date Defendants filed their motion to dismiss.
5. In the event Defendants move to dismiss, Defendants shall file their reply (or replies) in further support of their motion(s) no later than 30 days after the date Bettoli files his opposition brief.
6. The parties to this Stipulation shall meet and confer regarding the page limits for any briefs.

SO ORDERED this ____ day of _____, 20___.

UNITED STATES DISTRICT JUDGE

Respectfully submitted,

/s/ Jeffrey S. Johnston

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